

EXHIBIT B

Nancy J. Barry Esq.

From: Marc Fishman <rentdriver@aol.com>
Sent: Monday, June 18, 2018 7:49 AM
To: Nancy J. Barry Esq.; James Garfein; ADA; AD2-ClerksOffice; IG; Omar Cumberbatch; legalease1@gmail.com; ddrumm@drummadvocacy.com; vcasalelaw@icloud.com; eveesq@msn.com; sara.liss@drny.org; mail@drny.org; rentdriver@gmail.com
Subject: necessity for real time auxiliary Aide to comply with ADA and section 504 of the Rehabilitation act fu131794

Dear Mrs. Barry:

In Response to your request, real time court transcripts are needed the same day to provide "meaningful access" to the courts for my disabilities. Specifically, with fast paced questions and comments in court, it is difficult/near impossible for me to remember the spoken word without a written copy both displayed on screen and printed out at the end of the session. My Post Concussion syndrome effects immediate recall and short term memory greatly. Plus the ringing in my ear from tinnitus and occipital neuralgia/tmj headaches, necessitate a written copy of the transcript hearing to fully understand what went on and understand the proceeding with my impairments.

Since there has already been repeated misunderstandings with what is said in family court instructions versus the written court orders, immediate /same day access to the court transcripts is needed for my disability. Please do not forget your family court jailed me for not remembering a judges words in court. Specifically, Judge Schauer stated that there were no major holidays to send gifts on between March and July 2016. Yet Schauer's court order stated i could send gifts on birthdays and major holidays. I sent gifts to my kids for Easter, Passover, Memorial day and July 4th plus my twins July birthdays and Schauer jailed me three weeks for not remembering what she said in court. Took over 5 months to get those transcripts to compare the transcript to the court orders. This delay denied me meaningful access to the court proceeding because there was no way with my disabilities i could remember hours worth of court testimony and instructions like a non-cognitively impaired person could.. Under ada, appropriate auxiliary aides and interpreters must be provided by the court, at the court's sole cost and expense for the cognitively disabled. My Cognition doctor Jason Brown gave me a letter for court requesting the court provide a note taker that is in the court file.

In the court press releases, its states real time transcripts are available in Yonkers and White Plains. Plus the cart court reporters i met with last week all stated, the cart system can print out transcripts the same day with a cart interpreter. Governor Cuomo signed a law in 2015 mandating cart systems be installed in all court rooms for the cognitively and hearing challenged.

The court digital recording systems are poor quality in family court and numerous words are inaudible . This is the case even when a transcript can be obtained in a month or two. The OCA 2010 report stated specifically that the New Rochelle Court room where my case is taking place is "inaccessible to the disabled" and "such poor quality that the audio fails to meet minimum court standards."

Hope this explains the disability better. With a cognitive disability it is difficult to explain what it feels like to not remember fully. With Aids and assistance of accommodations i can be fully functional.

Feel free to call with any questions. Believe my Advocate Sara Liss wrote to the court on the auxiliary aide request over ten days ago.

thanks

Marc Fishman
